

Investigative Report
Regarding
Irving Independent School District School Board's
Resolution #12-13-124

On April 4, 2013, the Irving Independent School District (IISD) contracted with this investigator to act as a neutral, outside party to determine whether the items listed in the IISD Board of Trustees' Resolution Number 12-13-124 could be substantiated. This independent investigation was conducted by interviewing former and current IISD employees and Board members, and by reviewing documents provided by some of the employees who were interviewed.

It should be noted that Dr. Jones was contacted by this investigator on April 15, 17, and 22, and May 9, 2013 in an attempt to arrange a time to hear his response to each of the charges. However, when he replied to this investigator's email on May 9, Dr. Jones stated that he chose not to meet with this investigator to discuss the Board's charges, because there was nothing to investigate, and because he did not want IISD wasting more money.

It should also be noted that many of the IISD employees interviewed voiced concern about possible retaliation by Dr. Jones following their testimonies regarding this investigation.

Below is a summary of the findings of the investigation, which has been organized by each charge made in the Board Resolution.

8 a. Dr. Jones threatened to terminate the employment contracts of several administrative employees without a recommendation from the Superintendent.

Findings:

Testimony revealed that Dr. Jones threatened to terminate the following administrators:

[REDACTED]

An interview with one of IISD's Board members revealed that Dr. Jones told [REDACTED] that he did not consider this particular Leadership Team member to be qualified for [REDACTED] job, and that [REDACTED] would "be gone" once the new Board was in place.

[REDACTED] stated that Dr. Jones has threatened [REDACTED] job, making such statements as, "Talk to your attorneys and ask them what we will do when we fire all of you for not meeting AYP!" He has also asked [REDACTED], "Are you going to be able to work with the new board," a statement which suggests to [REDACTED] that since [REDACTED] does not share Dr. Jones' philosophy, [REDACTED] may be ousted. [REDACTED]

provided this investigator with a copy of a recording [REDACTED] made of a conversation [REDACTED] had with Dr. Jones. During the conversation, this investigator heard Dr. Jones make such threats against [REDACTED] job as, "Do you think you can work with the new school board?" and, "You see the changes coming. If you can't get behind the vision of the new board, I think it's time for you to leave." and, "After May 20, we will control the school board. We will be forced to use an axe."

In an interview with another Leadership Team member, [REDACTED] stated that [REDACTED] has heard Dr. Jones tell [REDACTED], "If you don't like it, it's time for you to start looking for a new job."

[REDACTED]

In the interview with two Leadership Team members, they both noted that they have heard Dr. Jones comment about the district not needing the position filled by [REDACTED]. This statement was made after a position was filled under [REDACTED]

A Leadership Team Member stated that [REDACTED] has heard Dr. Jones threaten the job of Leadership Team Member [REDACTED]. He has stated that due to mistakes he believes Leadership Team Member [REDACTED] has made in hiring decisions, [REDACTED] doesn't need to be there.

[REDACTED]

Another Leadership Team Member stated that [REDACTED] had heard Dr. Jones talk about the termination of contracts of Leadership Team Members [REDACTED]. [REDACTED] explained that [REDACTED] thought his attitude against them was more about the area of instruction they were assigned to that made them targets, because he disagreed with the method of instruction they used.

[REDACTED]

One of the IISD's Leadership Team members provided testimony to this investigator about [REDACTED] first-hand knowledge of threats Dr. Jones has made to eliminate several IISD employees' jobs. One of the employees whose job was threatened was Leadership Team Member [REDACTED]. Dr. Jones referred to [REDACTED] as "a cancer in this district" after [REDACTED] brought in a speaker to address the issue of overrepresentation of African Americans in alternative education.

[REDACTED] stated in an interview with this investigator that Dr. Jones talked to [REDACTED] twice about training approved by the school board that scheduled. He did not like the training, and blamed [REDACTED] for racial tension at Nimitz High School, telling [REDACTED] that [REDACTED] job was at stake. Another Leadership Team member also stated that he heard Dr. Jones threaten Leadership Team Member [REDACTED] job. Written documentation in the form of emails was found to exist that substantiates Dr. Jones' displeasure about this training, as well as his threats about terminating [REDACTED]

Another Leadership Team member noted that Dr. Jones threatened the job of Leadership Team Member [REDACTED] whom he said was rude to him at a board meeting. He told the Leadership Team member that as a result, [REDACTED] didn't need to be in [REDACTED] position.

A [REDACTED] told this investigator that Dr. Jones told [REDACTED] that he could not believe that [REDACTED] had kept [REDACTED] job as long as [REDACTED] has, and that the science scores were abysmal.

A Leadership Team member stated in an interview that [REDACTED] heard Dr. Jones say that he wanted to fire [REDACTED] after [REDACTED] argued with Dr. Jones about a homeless project. Another Leadership Team member also stated that [REDACTED] heard Dr. Jones state that he wanted to eliminate Leadership Team Member [REDACTED] job.

Conclusion:

Information from current and former IISD Leadership Team members revealed that they had head Dr. Jones independently threaten the jobs of 9 IISD administrators without any recommendation from the Superintendent. It was thus concluded that this charge could be substantiated.

8 b. Dr. Jones called newly hired employees and advised them they would be employed for only one year.

Findings:

First-hand information about this charge came from the two employees themselves whom Dr. Jones contacted. In an interview conducted with one of the new employees, [REDACTED], during the second week of [REDACTED] employment with IISD, [REDACTED] stated that three days after the Board majority voted to hire [REDACTED] as an administrator, [REDACTED] received a telephone call from Dr. Jones while [REDACTED] was at work at another school district. [REDACTED] stated that Dr. Jones told [REDACTED] that he and other Board members asked Dr. Bedden not to fill [REDACTED] position and another administrative position, but Dr. Bedden filled them anyway. [REDACTED] said that Dr. Jones told [REDACTED] that he wanted [REDACTED] to know before [REDACTED] moved to IISD that the new Board would eliminate [REDACTED] position when they could, and that [REDACTED] position would probably not be there a year from now.

[REDACTED] stated that although Dr. Jones told a Dallas Morning News reporter that he was acting as a private citizen when he called [REDACTED], [REDACTED] did not consider anything about the phone call to indicate that he was acting as a private citizen.

The other [REDACTED] referenced in this charge, [REDACTED] stated that a couple of days after the IISD Board voted to hire [REDACTED], [REDACTED] received a call at [REDACTED] school district from a man who identified himself as a "concerned citizen." Dr. Jones told [REDACTED] that he did not feel that the District needed to fill [REDACTED] position, and as soon as the new Board was seated, they would work to eliminate [REDACTED] job, so [REDACTED] would not have the job for more than a year. The [REDACTED] stated that Dr. Jones told [REDACTED] that [REDACTED] looked like a nice person, and [REDACTED] asked him if they had met. That is when Dr. Jones told [REDACTED] that he was on the Board, and when [REDACTED] voiced [REDACTED] concern about the appropriateness of [REDACTED] talking with him, he told [REDACTED], "we never talked."

Both of [REDACTED] stated that they contacted the Superintendent immediately following their receipt of the calls from Dr. Jones, and documented their calls from Dr. Jones with written statements, one written on March 7th and one written on March 9th. A review of the administrators' written statements revealed that Dr. Jones made consecutive calls to them on March 7th: one at 9:20 am, and one at 9:30 am.

In a March 28, 2013 Dallas Morning News article, Dr. Jones admitted making the calls to the two new employees, but stated that he made them as a private citizen.

According to an IISD Leadership Team member, after a board policy meeting, Dr. Jones told two other Leadership Team members that the two [REDACTED] would receive teacher contracts next year and be reassigned to teach.

Conclusion:

The Board charge regarding Dr. Jones' calls to the two newly employed administrators was substantiated through interviews with the two new administrators themselves, along with their emails documenting the situation. Additionally, Dr. Jones admitted making the calls to the two new employees in an interview with a reporter from the Dallas Morning News.

8 c. Dr. Jones attempted to influence the decisions of administration regarding the management of subordinate positions by directing staff to not fill certain staff positions.

Findings:

The Leadership Team member [REDACTED] stated in an interview that Dr. Jones told him that [REDACTED] should not fill the two administrative positions referenced in 8b above.

Another Leadership Team member also stated that [REDACTED] has heard Dr. Jones state that the District doesn't need one of the administrative positions referenced in 8b above.

Conclusion:

Testimony from two Leadership Team members support the allegation that Dr. Jones attempted to influence their decisions regarding the filling of the two administrative positions referenced in 8b above.

8 d. Dr. Jones disparaged the performance of the administrative staff to their subordinates with the intent of undermining the supervision of subordinates.

Findings:

In an interview with one [REDACTED] stated that Dr. Jones badmouthed [REDACTED] in a phone call to a Leadership Team member who works for [REDACTED]. He has also called [REDACTED] a liar to one of her subordinates.

Testimony from [REDACTED] indicated that Dr. Jones disparaged Dr. Bedden to staff at [REDACTED] Elementary, saying, "Bedden is late as usual." The Leadership Team member documented this incident in a memo dated September 11, 2011.

Interviews with several IISD [REDACTED] members revealed that Dr. Jones has disparaged the job that Dr. Bedden is doing by personally telling them that he intends to terminate the Superintendent. The Leadership Team members also told this investigator that Dr. Jones has attempted to undermine Dr. Bedden's authority by insinuating that if they support the Superintendent, their jobs will also be at stake.

Specifically, one [REDACTED] member stated that Dr. Jones has told [REDACTED] that Dr. Bedden will be terminated after the Board has four votes, and that anyone who supports the administration is not doing themselves a favor. He also told [REDACTED] that [REDACTED] should tell the principals that they shouldn't come to the board meetings, and that in doing so, they aren't doing themselves any favors. Dr. Jones has also insinuated to [REDACTED] that if [REDACTED] supports Dr. Bedden, [REDACTED] won't have a job.

Another [REDACTED] testified that Dr. Jones has frequently told [REDACTED] that Dr. Bedden will be gone soon.

Similarly, according to a different [REDACTED], [REDACTED] has heard Dr. Jones say that people closest to Dr. Bedden had better get on board with the new board or leave.

Additionally, another [REDACTED] stated in an interview that [REDACTED] has heard Dr. Jones say that there are about to be like-minded people on the Board, and there is going to be a change, referring to getting rid of Dr. Bedden. [REDACTED] also heard Dr. Jones say, "there's going to be a change, get out of the way" following a confrontation that Dr. Jones had with the Superintendent before he was elected.

An incident was related by another [REDACTED] about a group of principals who had been attending board meetings asked the Board President to read a statement at the end of a board meeting that voiced their concerns about Dr. Jones. The audience reacted to the statement with a standing ovation, but Dr. Jones responded to the statement by saying that those principals were not doing themselves any favors.

Conclusion:

This investigation found through interviews with [REDACTED] that Dr. Jones has disparaged the performance of the Superintendent to them, by telling them that he intends to get rid of Dr. Bedden. Testimony from these administrators also revealed that Dr. Jones also attempted to undermine Dr. Bedden's authority by discouraging the administrators' support of Dr. Bedden, threatening their jobs if they did. An additional interview found that Dr. Jones disparaged the performance of an IISD Leadership Team member to one of [REDACTED] subordinates.

8 e. Dr. Jones targeted the compensation of specific employees for reduction in the absence of a recommendation from the Superintendent.

Findings:

In an interview with [REDACTED] stated that Dr. Jones has talked about reducing the salaries of administrators who make more than \$90,000 during Board meetings.

The School Board President told this investigator that although the process involving the budget comes through the Superintendent, Dr. Jones told her on the phone that come May when there were four votes, salaries would be cut to \$90,000.

In an interview with a [REDACTED] indicated that Dr. Jones has stated that central office is paid too much. Additionally, another [REDACTED] testified that [REDACTED] has heard Dr. Jones state in Board meetings that IISD people are overpaid.

Another [REDACTED] testified that [REDACTED] has heard Dr. Jones say that IISD administrators make too much money. Testimony indicated that Dr. Jones has said that he wants to run IISD like a corporation and get cheap corporate people in to run it.

According to a different [REDACTED] has heard Dr. Jones talk about lowering salaries that are over \$90,000, and "trimming the fat."

Another [REDACTED] stated that Dr. Jones told [REDACTED] that coordinators are paid too much, and that their jobs should be eliminated.

Conclusion:

The investigation found that evidence existed to conclude that there were many occasions when Dr. Jones threatened to lower the salaries of administrators, and that the idea of lowering salaries did not come from a recommendation from the Superintendent.

8 f. Dr. Jones made disparaging and belittling comments to several staff.

Findings:

In an interview with one [REDACTED] stated that Dr. Jones has called [REDACTED] a liar numerous times.

Testimony from another [REDACTED] indicated that in [REDACTED] conversations with Dr. Jones, he has called the Superintendent and another Leadership Team member liars.

Additionally, a different [REDACTED] testified that [REDACTED] has heard Dr. Jones call another Leadership Team member a liar.

In an interview with another [REDACTED] stated that Dr. Jones asked [REDACTED] to look into an incident involving a soccer coach yelling at [REDACTED] players in Spanish. Shortly after this, the Board President talked at length at a Board meeting about Board members getting into other people's business. After the meeting, Dr. Jones came up to the Leadership Team member, and asked [REDACTED] why [REDACTED] told the Board President about being asked to look into the soccer matter, to which the administrator answered that [REDACTED] did not talk to the Board President about it. Dr. Jones asked how the President could have known about it, and the administrator stated that [REDACTED] had only communicated the matter to the Superintendent. The [REDACTED] stated that Dr. Jones called [REDACTED] a liar in response to [REDACTED] denial that [REDACTED] told the Board President about the soccer incident. [REDACTED] stated that [REDACTED] was not lying, is not a liar, would never lie to a Board member, and had never been called a liar before or since. [REDACTED] stated that [REDACTED] integrity is very important to [REDACTED]

A different [REDACTED] testified that Dr. Jones treated [REDACTED] disrespectfully when they were working together on the district's calendar. [REDACTED] stated that Dr. Jones' response to [REDACTED] explanations was inappropriate.

A [REDACTED] stated that Dr. Jones was abusive in the way he spoke to [REDACTED] blaming [REDACTED] for racial tensions at an IISD high school, and telling [REDACTED] that [REDACTED] job was at stake. [REDACTED] stated that Dr. Jones made [REDACTED] cry.

One [REDACTED] described an incident to this investigator in which Dr. Jones called [REDACTED] and asked [REDACTED] about a project [REDACTED] was assigned to. Although Dr. Jones had incorrect information about the number of volunteers involved in the project, he would not listen to what [REDACTED] was trying to explain. Instead, Dr. Jones repeatedly told the [REDACTED]

member in an angry and loud voice that [REDACTED] was not doing [REDACTED] job. The [REDACTED] [REDACTED] also provided a letter [REDACTED] sent to the Superintendent documenting the conversation.

Another [REDACTED] told this investigator that Dr. Jones' favorite phrases to IISD staff is that they lack common sense. [REDACTED] stated that [REDACTED] has a tape recording of Dr. Jones calling [REDACTED] a liar, and others have also told [REDACTED] on many occasions that he has called [REDACTED] a liar. In a copy of a recording that the [REDACTED] [REDACTED] provided to this investigator, Dr. Jones told [REDACTED] that [REDACTED] "flat out lied to him."

The IISD Board [REDACTED] testified that [REDACTED] has heard Dr. Jones tell other Board members that they are liars, and [REDACTED] has also heard him call the District's former attorney a thief in a public forum.

Conclusion:

The evidence gathered during this investigation from [REDACTED] IISD officials supports the charge that Dr. Jones used disparaging and belittling comments to them and other IISD officials.

8 g. Dr. Jones has routinely heard complaints from teachers and staff without requiring the complainants to go through the chain of command.

Findings:

The School Board [REDACTED] stated that all Board members hear complaints. [REDACTED] stated that when someone comes to [REDACTED] with a complaint, [REDACTED] always asks them if they have talked to their principal or Dr. Bedden about their concerns. [REDACTED] stated that [REDACTED] tells them that [REDACTED] cannot fight their battles for them, and directs them to the right avenue. The [REDACTED] stated that Dr. Jones, on the other hand, does not refer the complaints, and will talk anonymously about concerns that have been brought up to him.

According to an interview with an IISD [REDACTED] and an email that documented the situation, [REDACTED] received a telephone call from Dr. Jones in May 2011. He was calling on behalf of a friend of his, a paraprofessional whom the [REDACTED] had laid off. Dr. Jones wanted to know the reason for [REDACTED] separation from the district, and to tell the [REDACTED] how well qualified the employee was. He also told the [REDACTED] that the former employee had told him there were remaining paraprofessionals at the school who were not as well qualified, and who had stolen food from the break room. The [REDACTED] explained to Dr. Jones that [REDACTED] was required to cut three paraprofessional positions that year, and that [REDACTED] decision was based on the needs of the school. Dr. Jones asked if that included speaking Spanish, to which the [REDACTED] replied that language was not [REDACTED] lone consideration. The [REDACTED] stated that Dr. Jones then said that he either wanted his friend rehired, or to see the evaluations of all paraprofessionals for the year. According to the [REDACTED] Dr. Jones called [REDACTED] a couple of days later, asking the status of the matter. The [REDACTED] replied that [REDACTED]

could not release information on personnel matters, which made Dr. Jones angry, telling the [REDACTED] that [REDACTED] had made an egregious error.

In a recording provided to this investigator of a phone call with Dr. Jones, he can be heard telling a [REDACTED] that the reason he called [REDACTED] is to relate two complaints he received from teachers. He stated that the teachers called him because they feel that if they call him, he'll "raise a stink."

An interview with another [REDACTED] indicated that [REDACTED] has heard Dr. Jones admit that he is taking complaints from employees. He will say things like, "the teachers are telling me...." The [REDACTED] stated that [REDACTED] has never heard Dr. Jones say that he directed complainants to contact the correct person.

In an interview with a retired [REDACTED] related a situation in which [REDACTED] received a phone call from Dr. Jones after [REDACTED] disciplined some teachers whom [REDACTED] discovered were using campus email to invite people to a reception welcoming Dr. Jones to the board, prior to Dr. Jones' election. In the phone call, Dr. Jones told [REDACTED] that he'd better not do anything to those teachers. The [REDACTED] stated that once Dr. Jones was elected, the trustee came to [REDACTED] school numerous times without signing in, holding secret meetings with teachers, which resulted in a complaint Dr. Jones presented, regarding several concerns the teachers had. As a result, the [REDACTED] said it took [REDACTED] and another employee 12 to 15 person hours to collect information to appease Dr. Jones, time which [REDACTED] said was taken away from serving students.

Another [REDACTED] related an experience [REDACTED] had with Dr. Jones in which he took a complaint from one of [REDACTED] teachers instead of having the teacher follow the chain of command. Instead of coming to the principal with the teacher's concerns, he went to a senior Leadership Team member.

In an interview with [REDACTED] related an incident in which one of [REDACTED] teachers went to Dr. Jones to complain about a game they played in which two teams competed to encourage good behavior, keeping the campus clean, and school pride. The teacher complained that as a result of this competition, [REDACTED] felt restricted from referring students to the office, and [REDACTED] felt the school was tracking the students who were not wearing school t-shirts, which she felt was unfair to some students. The [REDACTED] stated that instead of referring the teacher to [REDACTED], Dr. Jones took the complaint to the [REDACTED] supervisor, telling [REDACTED] that he wanted this competition stopped by Monday, and if it did not, he would make it happen. Documentation collected during the investigation indicated that this [REDACTED] changed the competition as directed by [REDACTED] supervisor.

A [REDACTED] told this investigator that there are a few principals who go straight to Dr. Jones with their concerns instead of coming to [REDACTED] supervisor, or the Superintendent. [REDACTED] stated that Dr. Jones' actions (taking the principals' complaints instead of directing them to go through the chain of command) have empowered them.

As elaborated on in Charge 9 d., Dr. Jones received a complaint from a parent from another school district, and looked into the matter himself by contacting a [REDACTED] rather than telling the parent whom to contact.

Numerous documents obtained during this investigation reflected Dr. Jones' personal involvement in complaints he received from people inside and outside of the district.

Conclusion:

Testimony from numerous IISD sources, as well as documents and audio recordings reflect that Dr. Jones indeed routinely hears complaints from teachers and staff without requiring them to go through the chain of command.

9 a. Dr. Jones attempted to influence decisions relating to curriculum and instruction by demanding consideration of specific language programs and the removal or implementation of certain instructional delivery strategies.

Findings:

The IISD School Board [REDACTED] stated that Dr. Jones' campaign focused on English only. [REDACTED] stated that [REDACTED] has told the news about his views. He thinks Spanish accents need to go.

In an interview with one of IISD's [REDACTED] stated that [REDACTED] has a recording of Dr. Jones criticizing project-based learning. In the recording that was provided to this investigator, Dr. Jones states that, "PBL will be going on next year over my dead body." Additionally, the [REDACTED] stated that [REDACTED] has heard Dr. Jones speak frequently about his desire for LEP students to be taught English through English immersion.

Another [REDACTED] stated that in work sessions and Board meetings, [REDACTED] has heard Dr. Jones say that IISD should only offer English immersion to LEP students. [REDACTED] also stated that [REDACTED] has heard him say that project based learning is not all it is cracked up to be.

According to a former [REDACTED] received a phone call from Dr. Jones prior to his election to the board, in which he complained that [REDACTED] pronounced [REDACTED] name with a Spanish accent. He told [REDACTED] that IISD should not be speaking any Spanish to its students, and would not listen to [REDACTED] explanation of language acquisition. [REDACTED] stated that after his election to the board, the Bilingual Education department had to justify everything they did to Dr. Jones. One example [REDACTED] provided was that he wanted IISD to provide one form to parents that would offer them the options of bilingual education and ESL at one time. [REDACTED] stated that the Texas Education Agency required parents to deny bilingual in order to accept ESL,

and that these options had to be on separate forms. The [REDACTED] stated that the Bilingual Department was so busy trying to explain to Dr. Jones why they could not legally meet his demands, they could not do what they needed to do for the kids.

In another interview with an employee [REDACTED] stated that Dr. Jones once approached [REDACTED] and criticized the lanyard [REDACTED] was wearing that said, "Bilingual ESL Department" on it, saying, "That's not going to happen in this district."

Another [REDACTED] testified that following a Drug Summit, Dr. Jones approached [REDACTED] and complained that information had been provided in Spanish. [REDACTED] explained that IISD receives Title I funds, and thus is required to provide information in Spanish.

According to an interview with [REDACTED] has heard Dr. Jones talk about his support of heavy immersion and early exit of limited English proficient (LEP) students at Board meetings and to [REDACTED] personally.

In an interview with an [REDACTED] related an incident in which Dr. Jones was touring [REDACTED] school and came upon some student science projects in Spanish posted on the walls of a hallway. The [REDACTED] stated that Dr. Jones took exception to the Spanish displays, stating, "We're here in the United States, and this is in Spanish." The [REDACTED] stated that [REDACTED] tried to explain to Dr. Jones that they operate a bilingual program in which both languages are valued, but Dr. Jones would not listen. Instead, the trustee touted early exit programs.

An [REDACTED] stated that Dr. Jones called [REDACTED] in 2011, posing as a parent of a young child. He asked about whether information about this program was offered in English as well as Spanish, and whether English-speaking students could attend the program. He then started telling [REDACTED] about the benefits of English immersion, telling [REDACTED] that [REDACTED] should teach students in English, not Spanish.

An [REDACTED] told this investigator that Dr. Jones told [REDACTED] he was against project based instruction. He said [REDACTED] should not tell [REDACTED] teachers how to teach, that they should think outside the box. He also told the [REDACTED] that [REDACTED] needed to have teachers use basic math instruction with math facts and flashcards. Dr. Jones also told the [REDACTED] that the district needed to go back to basal readers.

A [REDACTED] testified about Dr. Jones supporting a video that bashed C Scope that was played during a noon work session, and arguing with [REDACTED] when [REDACTED] supported the district's use of it. As a result of [REDACTED] disagreement with Dr. Jones about C Scope, [REDACTED] had to write an email to apologize.

In addition to these testimonies, several emails were obtained that demonstrated Dr. Jones' involvement in curriculum and instruction issues.

Conclusion:

This investigation found extensive evidence indicating that Dr. Jones was deeply involved in trying to persuade district administration to implement or remove certain language programs and instructional strategies, thus substantiating this claim by the Board.

9 b. Dr. Jones directed staff to violate employee First Amendment rights by demanding administrative staff forbid staff from speaking Spanish in schools.

Findings:

The IISD School Board [REDACTED] testified that Dr. Jones told the Bilingual Director not to let people speak Spanish.

Another School Board member testified that Dr. Jones told [REDACTED] that his first order of business would be to take down all written materials that were in Spanish.

In an interview with [REDACTED] stated that Dr. Jones wanted the District to forbid the speaking of Spanish in its schools. [REDACTED] and one of [REDACTED] subordinates told Dr. Jones that they legally could not do that, so Dr. Jones asked the District's attorney, who told them the same thing.

In an interview with another [REDACTED] stated that Dr. Jones has told [REDACTED] not to allow district staff to speak Spanish.

Another one [REDACTED] stated that [REDACTED] has heard Dr. Jones ask in Board meetings, "Why are they not speaking English in the hallways? They need to be modeling English."

As elaborated on under Charge 9 d., Dr. Jones instructed [REDACTED] to look into a situation involving a coach who spoke Spanish to [REDACTED] soccer players on the field.

Conclusion:

Testimony [REDACTED] provided numerous examples of Dr. Jones trying to forbid the use of Spanish in the District, including the use of Spanish on a soccer field. The information gathered in this investigation supports the Board's charge that Dr. Jones directed administrative staff to forbid the use of Spanish.

9 c. Dr. Jones independently conducted an investigation of an employee by contacting a vendor to determine if a district employee has a substantial financial interest in the company and telling the company they should not be speaking to the administration.

Findings:

An [REDACTED] testified that [REDACTED] was invited to speak at a WIN Learning conference. [REDACTED] stated that officials from many other urban school districts also presented. [REDACTED] stated that Dr. Jones did not personally confront [REDACTED] about [REDACTED] trip to the conference.

An interview with the President and CEO of WIN Learning, indicated that Dr. Jones called without identifying himself, asking who was on her company's board of directors, and accusing her of having a high level administrator at IISD on her board, and of being involved in illegal activity. She also stated that Dr. Jones told her that she should be reporting to the trustees, not the district administrators. She stated that his tone with her was angry. The President/CEO also confirmed all of this information in an email she sent to the Superintendent on March 26, 2013.

Additionally, the President/CEO of WIN Learning provided this investigator information identifying WIN Learning's board members, none of whom were affiliated with IISD. She also provided information regarding the seminar WIN Learning hosted, in which an IISD administrator and other administrators from large school districts acted as presenters.

Conclusion:

Information collected through an interview and the review of documentation confirmed that Dr. Jones independently conducted an investigation of an employee by contacting a vendor to determine if a district employee has a substantial financial interest in the company and telling the company they should not be speaking to the administration.

9 d. Dr. Jones directed an employee other than the Superintendent to investigate the alleged misconduct of another employee.

Findings:

According to [REDACTED] this charge concerns a situation in which Dr. Jones was contacted by a parent from another school district regarding a soccer game with a high school in IISD in which the IISD soccer coach yelled in Spanish at [REDACTED] players. Dr. Jones contacted this administrator and instructed [REDACTED] to look into the matter. As emails between Dr. Jones and this administrator indicate, the administrator complied with Dr. Jones' directive, and discovered that the coach used Spanish as strategy, because the opposing players do not know what he is telling [REDACTED] players to do. He likened it to other coaches' use of hand signals or signage. This was reported back to Dr. Jones.

Conclusion:

Information gathered through an interview with the Leadership Team member involved, as well as emails regarding the issue indicate that Dr. Jones indeed

directed a district employee other than the Superintendent to investigate the alleged misconduct of another employee.

9 e. Dr. Jones attended district administrative training and/or meetings without specific invitation that has resulted in disruption of the training or meeting.

Findings:

Interviews with ██████████ indicated that Dr. Jones attended training that ██████████ conducted with principals regarding public relations. The training was held at the same time as most IISD central office administration was out of the building at another meeting. The fact that a Board member was attending training for principals was disruptive, because he is so focused on the negative, according to many interviewed. Information from those interviewed revealed that Dr. Jones sat down in the back of the room, and when there was a break in the training, he asked principals whether they had already received training on similar topics. Some said they had received training on some of the topics, but not all. Dr. Jones pulled a group of the attendees together and pledged that he would make sure that they never had to attend another meeting like this again, and that they would never be pulled out of their buildings for this again. Information from the interviews indicated that surveys that the principals filled out at the end of the training revealed that they thought the training received was helpful.

An ██████████ stated that Dr. Jones attended a Discipline Focus Group, uninvited. ██████████ said that Dr. Jones sat in the back of the room and made comments as ██████████ and others presented. He then said he wanted to say a few things, and got up and stated that discipline in the District is out of control, and talked about how corporal punishment should be used.

With regard to this issue, ██████████ related an incident in which ██████████ was holding an administrator's meeting in the atrium of the administration building. ██████████ stated that Dr. Jones was at the meeting, uninvited, and he stood in the back and mimicked the Leadership Team member to another Leadership Team member. The Leadership Team member stated that when a trustee enters an IISD facility, he or she becomes a private citizen, and should ask for permission to attend such a meeting and keep quiet during the meeting. The administrator to whom Dr. Jones spoke verified this incident, adding that Dr. Jones prevented ██████████ and others in the back from listening to the presenter. He recalled that Dr. Jones said things like, "See, this is what I'm talking about: you guys just don't do a very good job with money." The administrator also stated that during the meeting, Dr. Jones spoke disparagingly about the Superintendent and other administrators in general.

In a phone call in which this investigator attempted to schedule an interview with Dr. Jones, he commented to this investigator about the allegation that he attended and disrupted training and meetings that he was not invited to. He stated that the meeting was held in the atrium of the district headquarters, where he happened to

be, so it could not have been a private meeting, because it was being held in a public place, out in the open.

Conclusion:

Evidence obtained through testimony from numerous District administrators supported the Board's charge that Dr. Jones attended training and meetings uninvited, and that he disrupted the training and meetings.

Final Conclusion:

Information obtained during this investigation found irrefutable evidence that all of the charges that the IISD Board of Trustees made against Dr. Steven Jones were based on a great deal of reliable, first-hand evidence. Although Dr. Jones declined the opportunity to participate in this investigation, it is safe to assume that any testimony he could have offered would have been refuted by the preponderance of evidence gathered.

Final report submitted by:

Susan L. Mattison

Number One Consulting, Inc.

June 2, 2013

Report Regarding Whether
Charges in IISD School Board Resolution #12-13-124
Constitute IISD School Board Policy or TEC Violations

Irving Independent School District enlisted the services of Number One Consulting, Inc. to make an independent determination whether the charges made against Dr. Steven Jones in IISD School Board Resolution #12-13-124 constituted a violation of either the Texas Education Code, IISD School Board policy, or both.

Presented below are the independent findings by charge number.

8 a. Dr. Jones threatened to terminate the employment contracts of several administrative employees without a recommendation from the Superintendent.

Part BJA (Legal) of the Irving Independent School District's Board Policies lists the following duties that are the responsibility of the Superintendent:

“2. Except as provided by Education Code 11.202 (duties of principal) [See DK and DP], assuming administrative authority and responsibility for the assignment, supervision, and evaluation of all personnel of the District other than the Superintendent.

4. Initiating the termination or suspension of an employee or the nonrenewal of an employee's term contract. [See DF series]”

It is clear from the above Board Policy that it is the Superintendent's duty to assume the administrative authority and responsibility for the evaluation of all District personnel other than himself. The Superintendent is also charged by Board Policy with the responsibility of initiating the termination or suspension of employees and/or the nonrenewal of an employee's employment contract. Dr. Jones was thus in violation of Board Policy when, without a recommendation from the Superintendent, he threatened to terminate the contracts of the numerous IISD administrators, as described in the May 13, 2013 Investigative Report.

These actions taken by Dr. Jones also violate one of the IISD School Board ethical standards, which states, “I will avoid personal involvement in activities the Board has delegated to the Superintendent.”

8 b. Dr. Jones called newly hired employees and advised them they would be employed for only one year.

Again, the initiation of the termination of District employees or the nonrenewal of a District employee's term contract is the duty of the Superintendent, as seen in Board Policy BJA 4. Dr. Jones' communication with the two newly hired administrators about their short tenure was not allowed by Board Policy without the

Superintendent's recommendation. Additionally, according to the Texas Association of School Boards (TASB) legal services, the only District position that the School Board is completely responsible for is that of the Superintendent, as seen in Texas Education Code, Section 11.1513(a)(1).

As stated in the independent Investigative Report, Dr. Jones did not agree with the Superintendent or majority of the Board regarding filling the two administrative positions in question. The communications he had with the two newly hired administrators violated the Board Members Ethics (BBF Local), which states in part:

"As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

- I will respect the majority decision as the decision of the Board."

8 c. Dr. Jones attempted to influence the decisions of administration regarding the management of subordinate positions by directing staff to not fill certain staff positions.

TEC Section 11.1513(a)(2) states that:

"The board of trustees of each independent school district shall adopt a policy providing for the employment and duties of district personnel. The employment policy must provide that:

- (1) the superintendent has sole authority to make recommendations to the board regarding the selection of all personnel other than the superintendent"

As a member of the Board of Trustees, it was not within Dr. Jones' purview to advise administrators not to fill administrative positions. As Board Policy BBF states in part:

"As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

- I will avoid personal involvement in activities the Board has delegated to the Superintendent."

8 d. Dr. Jones disparaged the performance of the administrative staff to their subordinates with the intent of undermining the supervision of subordinates.

Disparaging the performance of administrators is a violation of one of the ethical standards for IISD School Board members, which states, "I will accord others the respect I wish for myself."

As a member of the IISD Board of Trustees, it was not Dr. Jones' responsibility to involve himself in the supervision of IISD employees. This authority is given to the Superintendent in Part BJA (Legal) of the Irving Independent School District's Board Policies, which states in part that the Superintendent has the responsibility for "assuming administrative authority and responsibility for the assignment, supervision, and evaluation of all personnel of the District other than the Superintendent."

8 e. Dr. Jones targeted the compensation of specific employees for reduction in the absence of a recommendation from the Superintendent.

School Board policy DEA (Local) regarding Annual Pay states:

"The Superintendent shall recommend to the Board an amount for employee salaries through recommended salary schedules as part of the annual budget process. Also, salaries for employees who are not on District-approved salary schedules shall be recommended by the Superintendent for Board approval as part of the budget process."

Thus, Dr. Jones' numerous independent discussions regarding administrators' pay in the absence of the Superintendent's recommendation was clearly a violation of School Board policy.

Additionally, these actions taken by Dr. Jones also violate one of the IISD School Board ethical standards, which states, "I will avoid personal involvement in activities the Board has delegated to the Superintendent."

8 f. Dr. Jones made disparaging and belittling comments to several staff.

Board Policy BBF (Local), regarding Board Members ethics, states, in part:

"As a member of the Board, I shall promote the best interests of the District as a whole and, to that end, shall adhere to the following ethical standards:

- I will accord others the respect I wish for myself."

Dr. Jones' disparaging and belittling statements that the independent investigation found that he made to numerous IISD staff clearly violates this item in the IISD Board Members Ethics, as seen in Board Policy BBF (Local).

8 g. Dr. Jones has routinely heard complaints from teachers and staff without requiring the complainants to go through the chain of command.

In accepting complaints that came to him as a Board member, Dr. Jones violated both the Texas Education Code and IISD Board Policy, as seen below:

"If employees, parents, students, or other members of the public bring concerns or complaints to an individual Board member, he or she shall refer

them to the Superintendent or another appropriate administrator, who shall proceed according to the applicable complaint policy.” (BBE Local)

“Unless authorized by the Board, a member of the Board may not, individually, act on behalf of the Board.” (Texas Education Code 11.051(a-1), (IISD Board Policy BBE)

9 a. Dr. Jones attempted to influence decisions relating to curriculum and instruction by demanding consideration of specific language programs and the removal or implementation of certain instructional delivery strategies.

According to Board Policy BJA Local, it is the Superintendent’s responsibility, as the chief executive employee of the District, to oversee instructional management, which includes instructional and curricular evaluation, planning, and decision-making, and monitoring the effectiveness of instructional programs.

The IISD Board Policy BBE (Legal) states the following about Board members’ authority:

“The Board may act only by majority vote of the members present at a meeting held in compliance with Government Code Chapter 551, at which a quorum of the Board is present and voting. Unless authorized by the Board, a member of the Board may not, individually, act on behalf of the Board.
Education Code 11.051 (a-1)”

This conduct exhibited by Dr. Jones also violate one of the IISD School Board ethical standards, which states, “I will avoid personal involvement in activities the Board has delegated to the Superintendent.”

Thus, according to Board policy, it was the Superintendent’s responsibility, not Dr. Jones’, to deal with instruction and curriculum management. Additionally, Dr. Jones’ attempts to influence decisions regarding curriculum and instruction without authorization from the Board violated Board and State standards.

9 b. Dr. Jones directed staff to violate employee First Amendment rights by demanding administrative staff forbid staff from speaking Spanish in schools.

Rights of free speech or expression, as guaranteed under the First Amendment of the U. S. Constitution and Section 8 of the Texas Constitution’s Bill Of Rights are contained in Section 37.123 of the Texas Education Code. Dr. Jones’ forbidding persons in IISD from speaking Spanish was a violation of free speech/expression as provided for in the state and U.S. constitutions, as well as the Texas Education Code.

9 c. Dr. Jones independently conducted an investigation of an employee by contacting a vendor to determine if a district employee has a substantial

financial interest in the company and telling the company they should not be speaking to the administration.

Section 11.201 of the Texas Education Code, and the BJA (Legal) of the IISD School Board policy both state that the superintendent is the educational leader and chief executive officer of the school district. The duties of the superintendent are listed in both the district policy and the state law, and include assuming administrative responsibility and leadership for the planning, operation, supervision, and evaluation of the education programs, services, and facilities of the district and for the annual performance appraisal of the district's staff; and managing the day-to-day operations of the district as its administrative manager.

It is apparent from the established duties of the superintendent that the superintendent would have been the official responsible for any investigation into the conduct of an employee, not a School Board member.

Additionally, the fact that Dr. Jones acted alone in his investigation of this matter violates School Board policy BBE and Texas Education Code 11.051 (a-1), which state that a member of the Board may not individually act on behalf of the Board.

Dr. Jones' conduct also violated one of the IISD School Board ethical standards, which states, "I will avoid personal involvement in activities the Board has delegated to the Superintendent."

9 d. Dr. Jones directed an employee other than the Superintendent to investigate the alleged misconduct of another employee.

As discussed in 9 c, it is the responsibility of the Superintendent to investigate the conduct of an employee, as seen in Section 11.201 of the Texas Education Code, and the BJA (Legal) of the IISD School Board policy. Additionally, Dr. Jones' action was taken independently of the rest of the Board, which violates School Board policy BBE and Texas Education Code 11.051 (a-1).

Dr. Jones' conduct also violated one of the IISD School Board ethical standards, which states, "I will avoid personal involvement in activities the Board has delegated to the Superintendent."

9 e. Dr. Jones attended district administrative training and/or meetings without specific invitation that has resulted in disruption of the training or meeting.

Chapter 11, Subchapter D of the Texas Education Code lists the powers and duties of the Boards of Trustees for Independent School Districts. The list of Board members' powers and duties do not include anything that would involve a Board member being on campuses or district facilities without notice.

One duty that the School Board does have is to work with the Superintendent to support the professional development of principals, teachers, and other staff. [Texas Education Code Section 11.1512 (b)(5)]. Dr. Jones' unannounced attendance at district training and negative comments about the training and the administration was found to have disrupted the training, which worked to oppose the professional development of District employees.

Additionally, the Board Members Ethics, contained in IISD School Board Policy, states the following [BBF (Local)]:

"I will avoid personal involvement in activities the Board has delegated to the Superintendent."

According to the Texas Education Code, Section 201(d)(5), one of the duties of the Superintendent is the management of the day-to-day operations of the District as its administrative manager.

Thus, Dr. Jones' unsolicited attendance at District meetings and training constituted a violation of the Texas Education Code and School Board policy.

Final Conclusion:

Each of the twelve charges against Dr. Jones in IISD School Board Resolution #12-13-124 was found to constitute a violation of provisions in the Texas Education Code, the IISD School Board policy, or both.

Report submitted by:
Susan L. Mattison
Number One Consulting, Inc.
June 4, 2013